

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:10-CR-270-JCM (GWF)
	)	
DEMETRIUS COLE,	)	
	)	
Defendant.	)	

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on September 7, 2011, defendant DEMETRIUS COLE pled guilty to Count One of a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1) and Title 18, United States Code, Section 924(a)(2). Docket #1, #29, #32.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant DEMETRIUS COLE pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- a. an H&R revolver, Model 925, .38 caliber, bearing serial number AR27535; and
- b. any and all ammunition ("property").

...

1 This Court finds the United States of America is now entitled to, and should, reduce the  
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
6 DEMETRIUS COLE in the aforementioned property is forfeited and is vested in the United States  
7 of America and shall be safely held by the United States of America until further order of the Court.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
9 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
10 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
11 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
12 the name and contact information for the government attorney to be served with the petition,  
13 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be  
15 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
17 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
18 following address at the time of filing:

19 Michael A. Humphreys  
Assistant United States Attorney  
20 Daniel D. Hollingsworth  
Assistant United States Attorney  
21 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
22 Las Vegas, Nevada 89101.

23 ...

24 ...

25 ...

26 ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 10th day of November, 2011.

6  
7   
8 UNITED STATES DISTRICT JUDGE  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**PROOF OF SERVICE**

I, Elizabeth Baechler-Warren, Forfeiture Support Associate Paralegal, certify that the following individual was served with a copy of the foregoing on November 9, 2011, by the below identified method of service:

CM/ECF:

Jason F. Carr  
Federal Public Defender  
411 E Bonneville Suite 250  
Las Vegas, NV 89101-  
Email: ECF\_Vegas@FD.ORG  
Counsel for the Defendant Demetrius Cole

/s/ Elizabeth Baechler-Warren  
Elizabeth Baechler-Warren  
Forfeiture Support Associate Paralegal